



**CITY OF SANTA BARBARA**  
**NEIGHBORHOOD ADVISORY COUNCIL REPORT**

**AGENDA DATE:** September 13, 2017  
**TO:** Neighborhood Advisory Council  
**FROM:** Creeks Division, Parks and Recreation Department  
**SUBJECT:** Water Quality Code Enforcement Program Update

**RECOMMENDATION:** That the Council receive a status report on the Fiscal Year 2017 Storm Water/Urban Runoff Pollution Prevention and Enforcement Program and the related creek clean-ups.

**DISCUSSION:**

The overall objective of the Storm Water/Urban Runoff Pollution Prevention and Enforcement Program (Program) is to identify and eliminate sources of water pollution to the City's streets, storm drains, creeks, and ocean. In addition, the Program ensures pollution is cleaned-up and items illegally dumped in the creek are removed.

As part of this Program, the Creeks Division enforces the Santa Barbara Municipal Code Chapter 16.15 Urban Pollution Controls: Non-Point Source Discharge Restrictions which prohibits discharges of polluted water to the City's storm drain system, creeks, and ocean. It was enacted in accordance with requirements from the NPDES Permit (now called the General Permit) from the Regional Water Quality Control Board, regulating municipal storm drain systems as point sources of water pollution to Waters of the U.S.

Illicit Discharge Enforcement Process

*Illicit Discharge Reports:*

Illicit discharges, non-stormwater discharges of water pollution, are detected and reported by Creeks Division staff, other City staff, and outside agency staff, as well as community members who call the enforcement line (897-2688). The enforcement line is monitored during the Creeks Division's regular business hours and all calls are responded to the same day. The table below shows the percentage of reports received from each group.

<b>Enforcement Calls From</b>	<b>FY17</b>	<b>FY07-FY17</b>
Creeks Division Staff	24.8%	27.1%
Other City Staff	38.4%	28.5%
Residents	31.2%	36.9%
Other Agency Staff	5.6%	7.5%

*Creeks Division Response:*

When illicit discharges are reported, Creeks Division staff investigate to assess whether the discharge is a violation of the Santa Barbara Municipal Code (SBMC). Staff’s goal is to respond as quickly as possible after the reports are received in order to observe violations while still occurring. In Fiscal Year 2017, staff responded on the same day that reports were received 100% of the time.

When a violation has been confirmed, Creeks Division staff attempt to contact the responsible party and/or responsible City Department to stop the discharge, contain it, and clean it up. All efforts are made to provide technical assistance and education to the responsible party to aid them in cleaning the discharge and prevent it from happening again in the future. An abatement deadline may be set up to 72 hours from when the responsible party is notified of the violation. Failure to clean the discharge by the abatement deadline results in an Administrative Fine subject to the property owner. Any additional illicit discharges from the same property within a 12 month period also result in an Administrative Fine.

*FY 17 Enforcement Case Data:*

The table below shows enforcement data for Fiscal Years 2013 - 2017.

	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>
<b># of reported violations</b>	218	214	188	169	130
<b>NOVs issued</b>	81	48	64	32	44
<b>Citations issued (fines total in \$)</b>	9 (\$1850)	7 (\$1400)	5 (\$1150)	3 (\$700)	3 (\$650)
<b># of reported violations receiving same day enforcement response</b>	218 (100%)	214 (100%)	188 (100%)	169 (100%)	130 (100%)

*Discharge Sources:*

All reported violations are tracked in a spreadsheet, and Notices of Violation are tracked in a separate City-wide database system. All reported violations are investigated the same day. Only a fraction of reported violations are found to be actual violations, resulting in a Notice of Violation being issued.

Trends from FY 2013 through FY 2017 show a decline in the number of reported violations and a decline in Notices of Violations issued. Reduced water use and increased

enforcement on water use by other departments, due to the ongoing drought, is likely a major contributor to this decrease. City efforts, including those of the Creeks Division, to increase clean-up of homeless encampments may have resulted in a decrease in homeless camp reports from the public.

When violations are entered into the enforcement spreadsheet, they are classified by the discharge source type. The table below shows the distribution of discharges reported by type.

<b>Sources of Illicit Discharges</b>										
	<b>Automotive</b>	<b>Restaurants</b>	<b>Construction</b>	<b>Commercial Industrial</b>	<b>Mobile Business</b>	<b>Illegal Dumping</b>	<b>Residential</b>	<b>City Facility</b>	<b>Other</b>	<b>Total</b>
<b>Number of Reports - FY17</b>	14	11	21	34	3	5	21	9	12	130
	10.8%	8.5%	16.2%	26.2%	2.3%	3.8%	16.2%	6.9%	9.2%	100.0%
<b>Number of Reports - FY07-FY17</b>	97	111	220	540	86	167	336	141	124	1286
	5.5%	6.3%	12.5%	30.7%	4.9%	9.5%	19.1%	8.0%	3.5%	100.0%

*Common Violations from Illicit Discharge Sources*

Automotive: vehicles leaking fluids, illegal dumping of automotive fluids, and illegal dumping of RV waste (sewage).

Restaurants: dumping mop water, kitchen mat and hardscape washing, trash and fluid (dumpster juice) from trash enclosures, and fat, oil, and grease discharges.

Construction: concrete and plaster slurry, paint, and sediment.

Commercial/Industrial: wash water and detergents, paint, and industrial chemicals.

Mobile Business: vehicle wash water, carpet cleaning waste water.

Illegal Dumping: household trash, furniture, bedding, electronic waste, and pet and human waste.

Residential: green waste, grey water, sewage, and trash.

City Facility: sediment, sewage, and trash.

Other: homeless encampments, discharges outside the City jurisdiction, and unknown sources.

## Creek Clean-ups

### *Discovery of Creek Sites Requiring Clean-up*

Similar to illicit discharges, City staff rely on reports from City residents and City employees to identify creek locations with illegally dumped items (including encampment locations). Although enforcement staff rarely find the individuals responsible for the creek site littering and illegal dumping, clean-up is always achieved.

Creeks Division staff discover most of the sites requiring clean-up along the City's creeks through their other work tasks (i.e. creek water sampling, project site visits, creek clean-ups, etc.) and through frequent inspections of known encampment "hot spots." These locations include Sycamore Creek from Montecito Street to the beach, Laguna Channel South of the Freeway, Arroyo Burro at Hope Avenue, and many sites along Mission Creek.

### *Encampment Clean-up*

According to City policy, occupied encampments must be posted with a 48 hour evacuation notice before they are cleaned-up. This gives occupants a chance to remove their possessions before they are taken by City clean-up crews. Notices are handed to occupants or placed in prominent locations within the camps. Items that remain 48 hours after posting are taken to either the Police Department, Parks and Recreation Department Administrative Offices, or MarBorg Industries (for recycling or placement in a landfill) depending on the assessed value.

### *Clean-up Data*

The City's current clean-up contractor charges \$95 per creek or beach "site" cleaned, down from \$102 per site from the previous contractor. During FY 2017, 100% of clean-ups were performed within 48 hours of work order. A total of 84,502 lbs. of trash were removed from creeks and beaches. Including: 207 bicycles, 123 grocery carts, 224 mattresses, 5,684 paint cans, 331 appliances, 3,391 bedding items, 22,511 articles of clothing, 3,662 needle/drugs, 13,285 feces deposits, and 482 pieces of furniture. The following table shows data from FY 2013 through FY 2017.

<b>Creek Clean-Up Data</b>					
	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>
<b>Total pounds of trash removed</b>	115,280 lbs.	109,980 lbs.	115,840 lbs.	134,360 lbs.	84,502 lbs.
<b>Number of clean-up sites</b>	920	884	933	1133	1300
<b>% of sites cleaned up within 48 hours of work order</b>	98%	99.5%	99.5%	95%	100%
<b>Paint Cans</b>	610	578	652	256	5,684
<b>Bicycles</b>	71	113	136	222	207
<b>Grocery Carts</b>	104	157	131	174	123
<b>Mattresses</b>	69	67	131	115	224
<b>Bedding (blankets, cardboard, etc)</b>	210	148	37	143	3,391
<b>Clothing</b>	502	775	950	1,173	22,511
<b>Feces</b>	149	480	1,039	457	13,285
<b>Furniture</b>	123	107	113	92	482
<b>Appliances</b>	19	24	54	88	331
<b>Needles and Drugs</b>	11	5	3	6	3,662

These numbers show a decrease in the total weight of trash removed, but show an increase in individual item counts from FY13 – FY16 versus FY17. These changes reflect differences in how the trash is weighed and counted by the new contractor. Previously all weights were taken from the vehicle scale at Marborg. The new contractor weighs small loads on their own scale in-house, and only large loads at Marborg. The new contractor takes a more detailed inventory of trash items removed as well. The previous contractor would note if one or more items was removed, but rarely gave an exact count. The current contractor makes every effort to count each item, or give a best estimate. This represents a more accurate count for the trash items removed.

**SUBMITTED BY:** Chris Clark, Code Enforcement Officer

**APPROVED BY:** Jill E. Zachary, Parks and Recreation Director